

*for entry*

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED OCT 23 2013

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ON BOARD LLC d/b/a ON BOARD INFORMATICS,

Plaintiff,

Case No. 13 Civ. 1463 (KBF)

vs.

EXIT REALTY CORP. INTERNATIONAL,

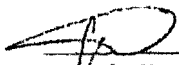
Defendant.  
-----X

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE**

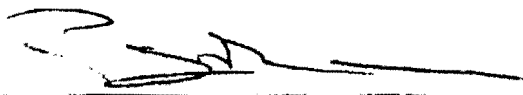
WHEREAS, the Plaintiff, On Board LLC d/b/a/ On Board Informatics, and the Defendant, Exit Realty Corp. International, have entered into a stipulated agreement of settlement so as to resolve the dispute between them without further litigation;

IT IS HEREBY STIPULATED AND AGREED, pursuant to Federal Rule of Civil Procedure 41(a)(1), by and between the undersigned attorneys for the parties herein, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed, and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is, dismissed with prejudice, without costs to either party as against the other.

Dated: October 22, 2013  
New York, New York

  
Gabe R. Kazlow, Esq.  
KAZLOW & KAZLOW  
Attorneys for Plaintiff  
237 West 35<sup>th</sup> Street, 14<sup>th</sup> Floor  
New York, NY 10001  
(212) 947-2900



Dated: October 22, 2013  
Waukesha, Wisconsin

  
Paul R. Hoefle, Esq.  
THE SCHROEDER GROUP, S.C.,  
ATTORNEYS AT LAW

Attorney for Defendant  
20800 Swenson Drive, Suite 475  
Waukesha, WI 53186  
(262) 754-1360

Rene F. Hertzog, Esq.  
ANDERSON KILL, P.C.  
1251 Avenue of the Americas  
New York, NY 10020-1182  
(212) 278-1000

SO ORDERED this 23<sup>rd</sup> day of Oct., 2013.

  
KATHERINE B. FORREST  
United States District Judge 

## ANDERSON KILL P.C.

Attorneys and Counselors at Law

1251 AVENUE OF THE AMERICAS ■ NEW YORK, NY 10020

TELEPHONE: 212-278-1000 ■ FAX: 212-278-1733

[www.andersonkill.com](http://www.andersonkill.com)

Rene F. Hertzog, Esq.  
Rhertzog@andersonkill.com  
212-278-1166

Via ECF

October 23, 2013

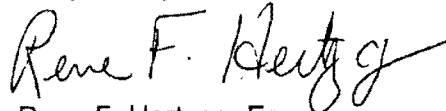
Honorable Katherine B. Forrest  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 730  
New York, NY 10007

Re: On Board LLC d/b/a On Board Informatics v. Exit  
Realty Corp. International, No. 13-Civ-1463 (KBF)

Dear Judge Forrest:

This firm represents defendant EXIT Realty Corp. International in the above-referenced matter. As Your Honor is aware, the parties have settled this action. Enclosed for Your Honor's consideration is a Stipulation and Order of Dismissal With Prejudice executed by the parties. The parties and counsel thank Your Honor and your staff for assisting in resolving this dispute.

Respectfully submitted,

  
Rene F. Hertzog, Esq.

cc: Stuart L. Sanders, Esq. (via email)  
Paul R. Hoefle, Esq. (via email)

New York, NY ■ Ventura, CA ■ Stamford, CT ■ Washington, DC ■ Newark, NJ ■ Philadelphia, PA

nydocs1-1021379.1